

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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| In the Matter of |) | |
| |) | |
| Telecommunications Relay Services and |) | CG Docket No. 03-123 |
| And Speech-to-Speech Services for |) | |
| Individuals with Hearing and Speech |) | |
| Disabilities |) | |
| |) | |
| Access to Emergency Services |) | |

REPLY COMMENTS OF
TELECOMMUNICATIONS FOR THE DEAF AND HARD OF HEARING, INC.
AND NORCAL CENTER ON DEAFNESS

I. Introduction

Telecommunications for the Deaf and Hard of Hearing, Inc. (“TDI”) and NorCal Center on Deafness (“NorCal”) hereby submit these reply comments in the above-captioned proceeding. As TDI noted in comments previously filed in this proceeding, access to 911 and enhanced 911 (“E911”) is a vital public safety goal, and TDI appreciates the work the Commission has undertaken to guarantee that all Americans, including those with disabilities, have access to these fundamental resources. TDI and NorCal also appreciate the comments filed in this proceeding by all commenters, demonstrating the shared industry acknowledgment of the importance of these issues. It appears that there is a general industry consensus that access to emergency services for Video Relay Service (“VRS”) and Internet Protocol Relay (“IP-Relay”) users is an important policy objective deserving of the Commission’s attention. TDI and NorCal value the different perspectives shared in these comments on specific implementation issues. Discussing and debating the specific solutions will only result in a more effective and robust system to allow users of VRS and IP-Relay to access emergency services.

TDI and NorCal are supporting in these reply comments the comments filed by Communication Service for the Deaf, Inc. (“CSD”) and Hamilton Relay, Inc. (“Hamilton”) calling for a uniform system for the allocation and assignment of numbers with respect to these technologies. The implementation of a uniform numbering system for VRS and IP-Relay is a critical component in the development of effective 911 and E911 calling for all users of these services.

In addition, the comments filed in this proceeding make clear that a number of technological challenges exist which will require industry, consumer groups and government to collaborate with each other to ensure that E911 services are available to users of these and other technologies. TDI and NorCal, therefore, are not addressing most of the particular policy and technological solutions offered by the commenters in this proceeding at this time. Instead, TDI and NorCal are taking this opportunity to inform the Commission that a consumer, industry and public safety group, the “E911 National Council of Stakeholders Of By and For Persons with Hearing and Speech Disabilities” (“E911 Council”) is currently reviewing these precise issues on a parallel track.

II. A Universal Numbering System, which is a Prerequisite to the Achievement of Functionally Equivalent Call Delivery, is an Essential Component of VRS and IP-Relay E911 Service.

Many companies providing IP-based relay services use the IP addresses to identify users and to complete calls. However, because IP addresses are dynamic, service providers and public safety answering points (“PSAPs”) cannot use the IP addresses to identify the specific geographic location of the 911 caller. In addition, the use of dynamic IP address formats makes it difficult, if not impossible, for a PSAP or first responder that needs additional information to call back the 911 caller. As a result, CSD and Hamilton argued in their opening comments that a universal numbering system for VRS and IP-Relay is a necessary component of E911 service.

TDI and NorCal agree with the arguments presented by CSD and Hamilton. This lack of universal numbering is contrary to Section 225 of the Communications Act of 1934, as amended (the “Act”). Specifically, Section 225(a)(3) of the Act requires that Telephone Relay Service (“TRS”), including VRS and IP-Relay, be functionally equivalent to voice service. Thus, all of the benefits enjoyed by subscribers of voice telephone services must also be available to TRS users. One of the benefits enjoyed by voice telephone users is a universal numbering and dialing system. Establishing a universal numbering system for VRS and IP-relay will provide additional tools for service providers and PSAPs to automatically locate such callers and provide fully operable call-back numbers for persons requesting emergency services.

Section 225(d) of the Act provides a remedy to this lack of universal numbering. It requires the Commission to prescribe regulations to implement the Americans with Disabilities Act (“ADA”), including the functional equivalency requirement. To meet its Section 225(d) mandate and ensure the provision of E911 service to VRS and IP-Relay users, the Commission should require the VRS and IP-Relay industries to develop and implement a universal numbering standard for VRS and IP-Relay users. While TDI and NorCal support a universal numbering system, they reserve comment on the technical and policy solutions needed to address this issue.

III. The Commission Should Allow the E911 Council Time To Examine Solutions and Policies Aimed at Providing 911 and E911 Access to Users of VRS and IP-Relay Services

As noted above, at this time TDI and NorCal are not taking particular positions on most specific 911 and E911 implementation measures pending review of these matters by the E911 Council. While all agree that VRS and IP-Relay users need access to these important public safety resources, it is clear that the consumer, industry and public safety groups currently lack consensus on exactly how such access should be provided.

The E911 Council was established to formulate a request to President Bush that he convene a special blue ribbon task force or workgroup to develop a concise plan of action and guidelines for full access to the E911 system via VRS and IP-Relay as well as other technologies such as text pagers, instant messaging, e-mail, text messaging on cell phones, and text messaging using VoIP for an approximate 30 million Americans who are deaf, hard of hearing and speech-impaired. The use of internet-based relay services such as VRS, captioned telephone services using IP, and IP-Relay has risen dramatically in recent years. In addition, many Americans who are deaf, hard of hearing or speech-impaired rely on text pagers, instant messaging, e-mail, text messaging on cell phones, and text messaging using VoIP as their primary means of communications. As such, the usage of internet-based relay services as well as these other services and potential new technologies amongst consumers who are hearing and speech disabled creates an urgent need for a plan to be developed to ensure access to 911 and E911 from all of these services.

The E911 Council has empanelled a group of experts from the deaf, hard of hearing and speech-to-speech consumer communities as well as members of the public safety community and experts from within the telecommunications industry. The E911 Council would like for representatives of the core federal agencies directly involved with emergency communications and call handling procedures, such as the Department of Homeland Security, the Federal Communications Commission and the Department of Justice to also have formal representation on this E911 council. They are stakeholders inasmuch as consumer groups and industry, and these federal agencies are thus necessary participants in the development of a solution. Because consumers remain vulnerable without access to E911 service, and an effective E911 communications system will save lives and property, time is of the essence. We are confident

that employing this expertise in a “round table” approach will make it possible to put together a plan of action and develop written guidelines in a prompt and timely manner.

TDI and NorCal are working with the E911 Council, and will actively participate in the development of standards and consensus-building to address 911 and E911 issues. Once the E911 Council has had time to examine and discuss the various issues involved in providing 911 and E911 access to VRS and IP-Relay users, as well as to users of the other forms of communications mentioned above, TDI and NorCal will provide the Commission with additional comments detailing these issues.

IV. Conclusion

The parties providing comment in this proceeding universally acknowledge that access to enhanced emergency services is an important public safety goal, and users of VRS and IP-Relay services as well as users of other technologies should be afforded such access. TDI and NorCal expressly endorse a universal numbering system for VRS and IP-Relay services. Such a system would provide additional information, including an easily accessible call-back number, to service providers and PSAPs when delivering emergency services.

TDI and NorCal also note that technological challenges remain in developing solutions to the delivery of E911 services, and that the E911 Council is currently examining the particular issues relevant to this proceeding. TDI and NorCal will provide additional comments detailing the E911 Council’s work and further recommendations, once that group has had the opportunity to address access to 911 and E911 resources by people who are deaf, hard of hearing or speech-impaired.

Respectfully submitted,

_____/s/
Sheri Farinha Mutti, CEO
NorCal Center on Deafness
4708 Roseville Road, Suite 111
North Highlands, CA 95660

_____/s/
Claude L. Stout
Executive Director
Telecommunications for the Deaf
and Hard of Hearing, Inc.
8630 Fenton Street, Suite 604
Silver Spring, MD 20910

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